IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

APPEAL FROM ORDER NO.21 OF 2006

IN

S.C.SUIT NO.565 OF 2003

ALONG WITH

CIVIL APPLICATION NO.85 OF 2004

H.N.Somshekhar ...Appellant

Versus

Shaikh Nazibullah Shaukatali & Ors. ...Respondents

.....

None present.

.....

CORAM: A.M.KHANWILKAR, J.

FEBRUARY 1, 2006.

P.C.

1. None appears for the Appellant.

2. The order impugned in this Appeal is dated 24th September 2003 refusing to grant ad-interim relief to the Appellant.

3. No interim protection was granted to the Appellant since then. As the matter has become infructuous, perhaps, the Advocate on record have not chosen to appear today when the matter is called out. Even if the matter has become infructuous, it is the duty of the Advocate on record to appear and inform the Court.

4. Be that as it may, there is no reason to interfere with the order passed on 24th September 2003, refusing to grant ad-interim relief to the Appellant, which is the subject matter of challenge in this Appeal. Hence, dismissed.

A.M.KHANWILKAR, J.